

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 22 1986

Returned to applicant for correction _____

Corrected application filed _____ Map filed JAN 15 1986 under 49572,
Existing P.O.D under 43552

The applicant Oxbow Geothermal Corporation

200 S. Virginia St., Suite 450 of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby make S application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 43552
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 3.25 second feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 5, T24N R37E, MDB & M; from
Describe as being within a 40-acre subdivision of public survey and by course and said point the NE corner of said Sec. 5 bears N 59° 36' 27" E 4996.44 feet distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, T24N R37E, MDB & M; from
If point of diversion is not changed, do not answer. said point the NW corner of said Sec. 5 bears N 37° 26' 17" W for 3375.4 feet.
7. Proposed place of use SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 T24N R37E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Sec. 32 T25N R37E MDB & M. Sections 4, 5, 6, 7, 8, 16, 17, 18,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or 19, 20, 21 T24N R37E MDB & M. Sections 12, 13, 24 T24N R36E, MDB & M. manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from Jan. 1 to Dec. 31 of each year.
Month and Day Month and Day
10. Use was permitted from Jan. 1 to Dec. 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled to 8264' and cased back to surface.
State manner in which water is to be diverted, i.e. diversion structure, ditches, Hot water or steam to be piped to electric plant.
pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$1.5 million
13. Estimated time required to construct works Well completed by Sunoco; drilled to 8264'
and cased

14. Estimated time required to complete the application of water to beneficial use Five Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Well is a geothermal well with the potential to produce 2.1 million gallons per day.

Should the well be tied into the Oxbow power plant, the high temperature water would be flashed with the net effect of 210,000 gallons per day being beneficially used and the remaining water returned to the reservoir so only 235 acre feet per year would

actually be used. This application is commingled with other applications.

Oxbow Geothermal Corporation

By s/ Lori L. Orser

200 S. Virginia St., Suite 450

Reno, NV 89501

Compared dn/se js/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 43552 is issued subject to the terms and conditions imposed in said Permit 43552 and with the understanding that no other rights on the source will be affected by the change proposed herein. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of geothermal fluid herein granted at any and all times.

It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

(CONTINUED ON Page 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.25 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before November 21, 1989

Proof of completion of work shall be filed before December 21, 1989

Application of water to beneficial use shall be made on or before November 21, 1992

Proof of the application of water to beneficial use shall be filed on or before December 21, 1992

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed JAN 8 1990 IN TESTIMONY WHEREOF, I, PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____

my office, this 21st day of November

Cultural map filed _____

A.D. 1986

Certificate No. _____ Issued _____

[Signature]
State Engineer

2407 (Rev. 6-81)

NOV 22 1993

WITHDRAWN BY APPLICANT

STATE ENGINEER

(PERMIT TERMS CONTINUED)

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid shall be limited to 2,353 acre-feet per year but the total consumptive use of the geothermal fluid is limited to only incidental fluid losses in the system and in no case shall it amount to more than 10% of the volume withdrawn annually. The State Engineer does not waive the right to make a determination of incidental fluid losses at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of geothermal fluid under Permits 36931, 41892, 41914, 41920, 41923, 41929, 43050, 43051, 43052, 43557, 46951, 47142, 47322, 47323, 48932, 48933, 48934, 48935, 49572, 49573, 49574, 49644, 49802, 49803 and 49806 shall not exceed 10,704 acre-feet annually.